

## REMARKS

Claims 1-33 are pending. Claims 1, 5, 6, 10, 12, and 16 have been amended.

New claims 28-33 have been added. No new matter has been introduced.

Reexamination and reconsideration of the application are respectfully requested.

In the June 10, 2004 Office Action, the Examiner rejected claims 1-4, 6-9, 11-15, 17, 19, 23, and 26 under 35 U.S.C. § 103(a) as being obvious over U.S. Patent No. 6,009,459 to Belfiore et al. (hereinafter the Belfiore reference), in view of U.S. Patent No. 6,631,357 to Perkowski (hereinafter the Perkowski reference), and in further view of U.S. Patent No. 5,999,940 to Ranger (hereinafter the Ranger reference). Claims 5, 10, 16, 18, 20, 21, 22, 24, 25, and 27 were rejected under 35 U.S.C. § 103(a) as being obvious over the Belfiore reference, in view of the Perkowski reference, in view of the Ranger reference, and further in view of U.S. Patent No. 6,422,523 to Siegel (hereinafter the Siegel reference). These rejections are respectfully traversed.

Embodiments of the present invention relate to a method of searching and reporting an incidence of at least one of a trademark, a tradename, a celebrity name, or a famous name in a Web page on the Internet. A user enters the at least one trademark, tradename, celebrity name, or famous name to be searched in the Web page on the Internet. A search string is automatically created including the at least one trademark, tradename, celebrity name, or famous name based on the at least one trademark, tradename, celebrity name, or famous name entered by the user. A URL address of the Web page on the Internet to be searched is received. Contents of the Web page of the URL address received are accessed and searched for matches in the contents of the Web page corresponding to the search string. The searched contents

includes elements other than only a domain name. For example, the searched contents includes at least two of the following portions of the Web page: a domain name, a meta tag, hidden text, visible text, titles, and images. Search results of identified matches corresponding to the search string in the contents of the Web page of the URL address are provided.

**Independent claim 1, as amended, recites:**

A method of searching and reporting an incidence of at least one of a trademark, a tradename, a celebrity name, or a famous name in a Web page on the Internet, comprising:

entering, by a user, the at least one trademark, tradename, celebrity name, or famous name to be searched in the Web page on the Internet;

automatically creating a search string including the at least one trademark, tradename, celebrity name, or famous name based on the at least one trademark, tradename, celebrity name, or famous name entered by the user;

receiving a URL address of the Web page on the Internet to be searched;

accessing and searching contents of the Web page of the URL address received for matches in the contents of the Web page corresponding to the search string, wherein the searched contents includes elements other than only a domain name; and

providing search results of identified matches in the contents of the Web page corresponding to the search string, wherein the search results are extracted from the Web page, categorized, and formatted in a report, each category including at least one character string corresponding to a number of occurrences of the identified matches within the category, the category selected from the group consisting of a meta-tag, a

hidden text, a text, a title, a hyperlink, and an image text, and wherein the report displays the at least one character string; and

**comparing current search results with prior search results to determine an unauthorized use of the at least one trademark, tradename, celebrity name, or famous name.**

The Examiner rejected claims 1-4, 6-9, 11-15, 17, 19, 23, and 26 under 35 U.S.C. § 103(a) as being obvious over the Belfiore reference, in view of the Perkowski reference, and in further view of the Ranger reference.

The Belfiore reference, the Perkowski reference, and the Ranger reference do not disclose, teach, or suggest the method specified in independent claim 1, as amended. Unlike the method specified in independent claim 1, as amended, the Belfiore reference, the Perkowski reference, and the Ranger reference do not show **“comparing current search results with prior search results to determine an unauthorized use of the at least one trademark, tradename, celebrity name, or famous name”**

The present invention is an improvement over the prior art in that the method provides for the generation of a report that displays in a user-friendly format the number of occurrences of the identified matches of a mark found in a Web page. The advantage provided by the report is that it allows a user to readily discern the unauthorized use of a mark based on the number of occurrences of the mark within a specified and displayed category. For example, when a user views a display of the report, if a mark occurs ten times within a meta-tag (the number 10 is displayed under a meta-tag heading in the report) and does not appear at all within the text (the number 0

is displayed under a text heading in the report), this may be an indication of an unauthorized use of the mark in a meta-tag of a Web site to divert traffic that was intended to go to an authorized Web site using the mark. The method provides for the comparison of current search results with prior search results to determine an unauthorized use of the at least one trademark, tradename, celebrity name, or famous name. The method also provides for obtaining information relating to an owner of the URL address conducting the unauthorized use and informing the owner of the unauthorized use.

The Belfiore reference, the Perkowski reference, and the Ranger reference, alone or in combination, do not disclose, teach, or suggest the method specified in independent claim 1, as amended.

Accordingly, Applicants respectfully submit that independent claim 1, as amended, distinguishes over the above-cited references. Claims 2-4, 17, and 23 depend directly from independent claim 1, as amended. Therefore, Applicants respectfully submit that claims 2-4, 17, and 23 distinguish over the above-cited references for the same reasons as set forth above with respect to independent claim 1, as amended.

Independent claims 6 and 12, as amended, recite limitations similar to independent claim 1, as amended. Specifically, independent claim 6, as amended, recites “wherein current search results are compared with prior search results to determine an unauthorized use of the at least one trademark, tradename, celebrity name, or famous name”. Claim 12 recites “instructions for comparing current search results with prior search results to determine an unauthorized use of the at least one

trademark, tradename, celebrity name, or famous name". Therefore, Applicants respectfully submit that claims 6 and 12, as amended, distinguish over the above-cited references for the same reasons as set forth above with respect to independent claim 1, as amended. Claims 7-9, 11, 19 and 13-15, 26 depend directly, or indirectly, from amended independent claims 6 and 12, respectively. Therefore, Applicants respectfully submits that claims 7-9, 11, 19 and 13-15, 26 distinguish over the above-cited references for the same reasons as set forth above with respect to independent claim 1, as amended.

**Independent claim 5, as amended, recites:**

A method of searching and reporting an incidence of at least one of a trademark, a tradename, a celebrity name, or a famous name in a Web page on the Internet, comprising:

entering, by a user, the at least one trademark, tradename, celebrity name, or famous name to be searched in the Web page on the Internet;

automatically creating homonyms and phonetic equivalents of the at least one trademark, tradename, celebrity name, or famous name entered by the user;

automatically creating a search string including the at least one trademark, tradename, celebrity name, or famous name and the automatically created homonyms and phonetic equivalents based on the at least one trademark, tradename, celebrity name, or famous name entered by the user;

receiving a URL address of the Web page on the Internet to be searched;

accessing and searching contents of the Web page of the URL address received for matches in the contents of the Web page corresponding to the search string,

wherein the searched contents includes elements other than only a domain name; and  
providing search results of identified matches in the contents of the Web page  
corresponding to the search string, wherein the search results are extracted from the  
Web page, categorized, and formatted in a report, each category including at least one  
character string corresponding to a number of occurrences of the identified matches  
within the category, the category selected from the group consisting of a meta-tag, a  
hidden text, a text, a title, a hyperlink, and an image text, and wherein the report  
displays the at least one character string;

**comparing current search results with prior search results to determine an  
unauthorized use of the at least one trademark, tradename, celebrity name, or  
famous name;**

**obtaining information relating to an owner of the URL address conducting  
the unauthorized use; and**

**informing the owner of the unauthorized use.**

Claims 5, 10, 16, 18, 20, 21, 22, 24, 25, and 27 were rejected under 35 U.S.C. §  
103(a) as being obvious over the Belfiore reference, in view of the Perkowski reference,  
in view of the Ranger reference, and further in view of the Siegel reference.

The Belfiore reference, the Perkowski reference, the Ranger reference, and the  
Siegel reference do not disclose, teach, or suggest the method specified in independent  
claim 5, as amended. Unlike the method specified in independent claim 1, as  
amended, the Belfiore reference, the Perkowski reference, the Ranger reference, and  
the Siegel reference do not show **“comparing current search results with prior  
search results to determine an unauthorized use of the at least one trademark,**

**tradename, celebrity name, or famous name; obtaining information relating to an owner of the URL address conducting the unauthorized use; and informing the owner of the unauthorized use”**

Accordingly, Applicants respectfully submit that independent claim 5, as amended, distinguishes over the above-cited references. Claims 18, 21, 24, 28, and 29 depend directly from independent claim 5, as amended. Therefore, Applicants respectfully submit that claims 18, 21, 24, 28, and 29 distinguish over the above-cited references for the same reasons as set forth above with respect to independent claim 5, as amended.

Independent claims 10 and 16, as amended, recite limitations similar to independent claim 5, as amended. Specifically, claim 10, as amended, recites “wherein current search results are compared with prior search results to determine an unauthorized use of the at least one trademark, tradename, celebrity name, or famous name, information relating to an owner of the URL address conducting the unauthorized use is obtained, and the owner is informed of the unauthorized use”. Claim 16 recites “instructions for comparing current search results with prior search results to determine an unauthorized use of the at least one trademark, tradename, celebrity name, or famous name; instructions for obtaining information relating to an owner of the URL address conducting the unauthorized use; and instructions for informing the owner of the unauthorized use”.

Therefore, Applicants respectfully submit that independent claims 10 and 16, as amended, distinguish over the above-cited references for the same reasons as set forth above with respect to independent claim 5, as amended. Claims 22, 25, 30, 31, and

20, 27, 32, 33 depend directly from amended independent claims 6 and 12, respectively. Therefore, Applicants respectfully submits that claims 22, 25, 30, 31, and 20, 27, 32, 33 distinguish over the above-cited references for the same reasons as set forth above with respect to independent claim 5, as amended.

Applicants have added new dependent claims 28-33 to further define the invention.

Applicants believe that the foregoing amendments place the application in condition for allowance, and a favorable action is respectfully requested. If for any reason the Examiner finds the application other than in condition for allowance, the Examiner is requested to call either of the undersigned attorneys at the Los Angeles telephone number (213) 488-7100 to discuss the steps necessary for placing the application in condition for allowance should the Examiner believe that such a telephone conference would advance prosecution of the application.

Respectfully submitted,

PILLSBURY WINTHROP LLP

Date: October 12, 2004

By: 

Roger R. Wise  
Registration No. 31,204  
Attorney for Applicant

725 South Figueroa Street, Suite 2800  
Los Angeles, CA 90017-5406  
Telephone: (213) 488-7100  
Facsimile: (213) 629-1033